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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 BRENTA SHOEMAKER, MARTY
12 SHOEMAKER, individually, and in
13 their capacity as parents of ABIGAIL
14 SHOEMAKER,

15 Plaintiffs,

16 v.

17 THE MARYSVILLE SCHOOL
18 DISTRICT NO. 25, a Municipal
19 Corporation, PETER APPLE, TWILA
20 HAMMONTREE, and NICOLE
21 MARKUS,

22 Defendants.

23 CASE NO. 2:23-cv-779 MJP
24 ORDER DENYING STIPULATION
 OF VOLUNTARY DISMISSAL

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26 This matter comes before the Court on the parties' Stipulation of Voluntary Dismissal
27 Pursuant to CR 41(a)(1)(A). (Dkt. No. 17). Having reviewed the Stipulation and the Complaint
28 (Dkt. No. 1), the Court finds the Stipulation improper. The parties stipulate to the voluntary
29 dismissal of the Plaintiffs' first and fifth causes of action under Federal Rule of Civil Procedure
30 41(a)(1)(A). (Dkt. No. 17 at 1.) Rule 41(a) allows the parties to stipulate to the voluntary
31 dismissal of one or more claims in a case. The parties' stipulation does not fall within the language
32 of Rule 41(a)(1)(A) because it does not dismiss all of the Plaintiffs' causes of action.
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34 IT IS ORDERED that the Stipulation of Voluntary Dismissal filed on June 13, 2024
35 (Dkt. No. 17) is DENIED.

1 dismissal of “an action,” but does not discuss dismissal of individual claims as requested by the
2 parties. The Court “give[s] the Federal Rules of Civil Procedure their plain meaning,” Pavelic &
3 LeFlore v. Marvel Entm’t Grp., 493 U.S. 120, 123 (1989), and finds that Rule 41(a) is limited to
4 dismissal of an entire action. For this reason, the Court DENIES the parties’ stipulated request
5 without prejudice.

6 Should the parties seek to the stipulated dismissal of some, but not all, of the claims in
7 this case, they must amend the complaint under LCR 15(b), and do so by July 3, 2024.

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9 Dated June 18, 2024

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13 Marsha J. Pechman
14 United States Senior District Judge
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